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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,887	03/23/2001	William A. Pugh	104402.00002	6896

74739 7590 03/09/2010

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EXAMINER	
CHOJNACKI, MELLISSA M	
ART UNIT	PAPER NUMBER
2164	

NOTIFICATION DATE	DELIVERY MODE
03/09/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	09/816,887	PUGH, WILLIAM A.	
	Examiner	Art Unit	
	MELLISSA M. CHOJNACKI	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 October 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,5,6,9-12,15,16,19,20 and 39-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,5,6,9-12,15,16,19,20 and 39-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Remarks

1. In response to communications filed on October 21, 2009, no new claims 7-8 and 17-18 are cancelled, claims 1-2, 5-6, 9-12, 15-16, and 19-20 are amended, and new claims 39-40 have been added. Therefore, claims 1-2, 5-6, 9-12, 15-16, 19-20, and 39-40 are still presently pending in the application.

Allowable Subject Matter

2. Newly added claims 41-43 contain allowable subject matter if rewritten in independent form or incorporated into the independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-2, 5-6, 9-12, 15-16, 19-20, and 39-40 are rejected under 35 U.S.C. 103(a) as being anticipated by O'Shaughnessy (U.S. Patent No. 7,219,302), in view of Brookler (U.S. Patent Application Publication No. 2005/0131919).

As to claim 1, O'Shaughnessy teaches a computer implemented method of copying an application that comprises non-file system structures including a data table

and corresponding schema (See abstract; Fig. 4; column 1, lines 30-58; column 8, lines 37-44, column 4, lines 32-48), the method comprising:

initializing a resulting file (See abstract; Fig. 4; column 1, lines 30-58; column 8, lines 37-44, column 4, lines 32-48);

creating a root directory within the resulting file (See abstract; Fig. 4; column 1, lines 30-58; column 8, lines 37-44, where "folder structure" is read on "directory"; column 4, lines 32-48);

creating an application level data directory under the root directory (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41);

creating one or more storage objects under the application level directory (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41);

storing a structural description of the application in a first storage object, wherein the structural description comprises a listing of the plurality of parts of the application (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41);

creating one or more data table directories under the application level data directory based on the structural description (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41, where "directories" is read on "folders").

O'Shaughnessy does not explicitly teach wherein at least one of the data table directories is a directory to a first data table data storage object and a first data table schema storage object; copying, from the application, the data table to the first data table data storage object and the schema to a the first data table schema storage object.

Brookler teaches efficient storage and access in a database management system (See abstract), in which he teaches wherein at least one of the data table directories is a directory to a first data table data storage object and a first data table schema storage object (See Figs. 3-10; paragraphs 006-0013; paragraph 0026; paragraph 0061; paragraphs 0117-0120); copying, from the application, the data table to the first data table data storage object and the schema to a the first data table schema storage object (See Figs. 3-10; paragraphs 006-0013; paragraph 0026; paragraph 0061; paragraphs 0117-0120).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified O'Shaughnessy, to include wherein at least one of the data table directories is a directory to a first data table data storage object and a first data table schema storage object; copying, from the application, the data table to the first data table data storage object and the schema to a the first data table schema storage object.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified O'Shaughnessy, by the teachings of Brookler because wherein at least one of the data table directories is a directory to a first data table data storage object and a first data table schema storage object; copying, from the application, the data table to the first data table data storage object and the schema to a the first data table schema storage object would provide efficient storage of data and be beneficial to represent hierarchies and relationships within a hierarchy (See paragraphs 0022 and 0026).

As to claim 2, O'Shaughnessy as modified, teaches wherein the initializing comprises initializing a compressible file (See O'Shaughnessy, column 5, lines 21-30; column 14, lines 15-34).

As to claims 5 and 15, O'Shaughnessy as modified, teaches initializing a fourth storage object under the application level data directory to store a user description describing users of the application (See O'Shaughnessy, Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53); and

copying and storing the user description in the fourth storage object (See O'Shaughnessy, abstract; Fig. 4 and Fig. 5; column 6, lines 14-32; column 12, lines 18-53).

As to claims 6, 16, and 40, O'Shaughnessy as modified, teaches the application is a web based application (See O'Shaughnessy, Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53).

As to claims 9 and 19, O'Shaughnessy as modified, teaches the application comprising files and an application control list, the method further comprising copying the files under the root directory (See O'Shaughnessy, abstract; Fig. 4 and Fig. 5;

column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53).

As to claims 10 and 20, O'Shaughnessy as modified, teaches converting the application control list into an XML format (See O'Shaughnessy, Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 5, lines 55-60).

As to claim 11, O'Shaughnessy teaches an apparatus comprising:

storage medium having stored therein programming instructions (See abstract), when executed, operate the apparatus to copy an application that comprises non-file system structures including a data table and corresponding schema by:

initializing a resulting file (See abstract; Fig. 4; Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 8, lines 37-44; column 4, lines 32-48);

creating a root directory within the resulting file (See abstract; Fig. 4; column 1, lines 30-58; column 8, lines 37-44, where "folder structure" is read on "directory"; column 4, lines 32-48);

creating an application level data directory under the root directory (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41);

creating one or more storage objects under the application level directory (See abstract; Fig. 4; column 1, lines 30-58; column 8, lines 37-44, where "folder structure" is read on "directory"; column 4, lines 32-48);

storing a structural description of the application in a first storage object (See column 1, lines 59-67; column 2, lines 1-15, lines 38-59);

creating one or more data table directories under the application level data directory based on the structural description (See column 1, lines 59-67; column 2, lines 1-15, lines 38-59).

O'Shaughnessy does not explicitly teach wherein at least one of the data table directories is a directory to a first data table data storage object and a first data table schema storage object; copying, from the application, the data table to the first data table data storage object and the schema to a the first data table schema storage object.

Brookler teaches efficient storage and access in a database management system (See abstract), in which he teaches wherein at least one of the data table directories is a directory to a first data table data storage object and a first data table schema storage object (See Figs. 3-10; paragraphs 006-0013; paragraph 0026; paragraph 0061; paragraphs 0117-0120); copying, from the application, the data table to the first data table data storage object and the schema to a the first data table schema storage object (See Figs. 3-10; paragraphs 006-0013; paragraph 0026; paragraph 0061; paragraphs 0117-0120).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified O'Shaughnessy, to include wherein at least one of the data table directories is a directory to a first data table data storage object and a first data table schema storage object; copying, from the

application, the data table to the first data table data storage object and the schema to a the first data table schema storage object.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified O'Shaughnessy, by the teachings of Brookler because wherein at least one of the data table directories is a directory to a first data table data storage object and a first data table schema storage object; copying, from the application, the data table to the first data table data storage object and the schema to a the first data table schema storage object would provide efficient storage of data and be beneficial to represent hierarchies and relationships within a hierarchy (See paragraphs 0022 and 0026).

As to claim 12, O'Shaughnessy as modified, teaches wherein the programming instructions, when executed, operate the apparatus to initialize a compressible file to store the application (See O'Shaughnessy, column 5, lines 21-30; column 14, lines 15-34).

As to claim 39, O'Shaughnessy teaches a computer-readable medium having instructions executable by a processor stored thereon that, cause the processor to copy an application that comprises a plurality of parts, wherein the parts comprise non-file system structures including a data table and corresponding schema, the copying comprising:

initializing a resulting file (See abstract; Fig. 4; Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 8, lines 37-44; column 4, lines 32-48);

creating a root directory within the resulting file; creating an application level data directory under the root directory; creating one or more storage objects under the application level directory (See column 1, lines 59-67; column 2, lines 1-15, lines 38-59);

storing a structural description of the application in a first storage object, wherein the structural description comprises a listing of the plurality of parts of the application (See column 1, lines 59-67; column 2, lines 1-15, lines 38-59, column 8, lines 37-44, where "folder structure" is read on "directory"; column 4, lines 32-48);

creating one or more data table directories under the application level data directory based on the structural description (See column 1, lines 59-67; column 2, lines 1-15, lines 38-59, column 8, lines 37-44, where "folder structure" is read on "directory"; column 4, lines 32-48).

O'Shaughnessy does not explicitly teach wherein at least one of the data table directories is a directory to a first data table data storage object and a first data table schema storage object; copying, from the application, the data table to the first data table data storage object and the schema to a the first data table schema storage object.

Brookler teaches efficient storage and access in a database management system (See abstract), in which he teaches wherein at least one of the data table directories is a directory to a first data table data storage object and a first data table

schema storage object (See Figs. 3-10; paragraphs 006-0013; paragraph 0026; paragraph 0061; paragraphs 0117-0120); copying, from the application, the data table to the first data table data storage object and the schema to a the first data table schema storage object (See Figs. 3-10; paragraphs 006-0013; paragraph 0026; paragraph 0061; paragraphs 0117-0120).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified O'Shaughnessy, to include wherein at least one of the data table directories is a directory to a first data table data storage object and a first data table schema storage object; copying, from the application, the data table to the first data table data storage object and the schema to a the first data table schema storage object.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified O'Shaughnessy, by the teachings of Brookler because wherein at least one of the data table directories is a directory to a first data table data storage object and a first data table schema storage object; copying, from the application, the data table to the first data table data storage object and the schema to a the first data table schema storage object would provide efficient storage of data and be beneficial to represent hierarchies and relationships within a hierarchy (See paragraphs 0022 and 0026).

Response to Arguments

5. Applicant's arguments filed on October 21, 2009, with respect to the rejected claims in view of the cited references have been considered but are moot in view of the new ground(s) of rejection

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELLISSA M. CHOJNACKI whose telephone number is (571)272-4076. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

February 26, 2010
Mmc

/Charles Rones/
Supervisory Patent Examiner, Art Unit 2164